

EXHIBIT A



**Service of Process
Transmittal**

06/13/2013

CT Log Number 522917487

TO: Anne Carlson
Convergent Outsourcing, Inc.
800 SW 39th Street
Renton, WA 98057

RE: Process Served in Missouri

FOR: Convergent Outsourcing, Inc. (Domestic State: WA)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: William Cissell, Pltf. vs. Convergent Outsourcing, Inc., Dft.
DOCUMENT(S) SERVED: Summons, Petition
COURT/AGENCY: Jefferson County Circuit Court, MO
Case # 13JEAC02607
NATURE OF ACTION: Violations of the Fair Debt Collection Practices Act
ON WHOM PROCESS WAS SERVED: C T Corporation System, Clayton, MO
DATE AND HOUR OF SERVICE: By Process Server on 06/13/2013 at 13:50
JURISDICTION SERVED : Missouri
APPEARANCE OR ANSWER DUE: 7/1/10/13 at 9:00 a.m.
ATTORNEY(S) / SENDER(S): James Windsor Eason
The Eason Law Firm, LLC
1 North Taylor Avenue
Saint Louis, MO 63108
314-932-1066
ACTION ITEMS: SOP Papers with Transmittal, via Fed Ex 2 Day 796005678582
SIGNED: C T Corporation System
PER: Meghan Saffell
ADDRESS: 120 South Central Avenue
Suite 400
Clayton, MO 63105
TELEPHONE: 314-863-5545

Page 1 of 1 / BL

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IN THE 23RD JUDICIAL CIRCUIT COURT, JEFFERSON COUNTY, MISSOURI

Judge or Division: STEPHEN DWIGHT BOUCHARD	Case Number: 13JE-AC02607
Plaintiff/Petitioner: WILLIAM CISSELL	Plaintiff's/Petitioner's Attorney/Address: JAMES WINDSOR EASON EASON & VOYTAS LLC 1 N TAYLOR AVENUE SAINT LOUIS, MO 63108
Defendant/Respondent: CONVERGENT OUTSOURCING, INC.	Date, Time and Location of Court Appearance: 10-JUL-2013, 09:00 AM Division 12 Courtroom P O BOX 100 300 MAIN ST HILLSBORO, MO 63050
Nature of Suit: AC Other Tort	

(Date File Stamp)

Associate Division Summons

The State of Missouri to: **CONVERGENT OUTSOURCING, INC.**

Alias:

10750 HAMMERLY BLVD
#200
HOUSTON, TX 77043

COURT SEAL OF



JEFFERSON COUNTY

You are summoned to appear before this court on the date, time, and location above to answer the attached petition. If you fail to do so, judgment by default will be taken against you for the relief demanded in the petition. You may be permitted to file certain responsive pleadings, pursuant to Chapter 517 RSMo. Should you have any questions regarding responsive pleadings in this case, you should consult an attorney.

If you have a disability requiring special assistance for your court appearance, please contact the court at least 48 hours in advance of scheduled hearing.

06/11/2013

HOWARD WAGNER-CIRCUIT CLERK
BY: /s/ BETH FIELDER-DEPUTY CLERK

Further Information:

Sheriff's or Server's Return

Note to serving officer: Service must not be made less than ten days nor more than sixty days from the date the Defendant/Respondent is to appear in court.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent;
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
- ☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary _____

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$ _____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

13JE-AC02607

Electronically Filed - Jefferson County - Circuit Court - June 11, 2013 - 11:46 AM CDT

IN THE CIRCUIT COURT FOR JEFFERSON COUNTY
ASSOCIATE DIVISION
STATE OF MISSOURI

William Cissell

Plaintiff,

V.

Convergent Outsourcing, Inc.

Serve at:
Registered Agent:
CT Corporation System
120 South Central Avenue
Clayton, MO 63105

Defendant.

CASE NO. _____

JURY TRIAL DEMANDED

PETITION

COMES NOW, Plaintiff, William Cissell, and for his Petition states as follows:

INTRODUCTION

1. This is an action for statutory damages brought by an individual consumer for violations of the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692 et seq.

JURISDICTION AND VENUE

2. This Court has jurisdiction of the FDCPA claim under 15 USC 1692k (d). Venue is appropriate in this Court because Defendant aimed its collection activity and committed the violations of the FDCPA described herein at and in Jefferson County, Missouri.

PARTIES

3. Plaintiff is a natural person currently residing in Jefferson County, Missouri. Plaintiff is a "consumer" within the meaning of the FDCPA . The alleged debt Plaintiff owes arises out of consumer, family, and household transactions.

4. Specifically, based on Plaintiff's best understanding, the alleged debt arises from a Capital One account maintained for personal purposes.

5. Defendant is a foreign corporation with numerous offices around the United States and a headquarters located in Houston, Texas.

6. Defendant is an independent contractor of Capital One.

7. Defendant is registered to do business in Missouri.

8. The principal business purpose of Defendant is the collection of debts in Missouri and nationwide, and Defendant regularly attempts to collect debts alleged to be due another.

9. Defendant is engaged in the collection of debts from consumers using the mail and telephone. Defendant is a "debt collector" as defined by the FDCPA, 15 USC 1692a (6).

FACTS

10. Beginning in or about April 2013, Defendant began to undertake collection activity against Plaintiff on the debt. Defendant's collection activity consisted of extremely frequent telephone calls and at least two collection letters.

11. Plaintiff returned on of Defendant's phone calls to request information regarding the alleged debt. To date, the requested information has not been received.

12. After Plaintiff requested the information concerning the debt, Defendant again telephoned Plaintiff

13. Defendant told Plaintiff that the information he requested had been sent to his mailing address.

14. When Plaintiff inquired as to what address the information had been sent, Defendant recited an address that wasn't Plaintiffs.

15. Despite being requested to re-send the information to the correct address, Defendant refused and continues to refuse to send the information.

16. Defendant's above described conduct caused Plaintiff to suffer distress and anxiety to Plaintiff.

COUNT I: VIOLATIONS OF FAIR DEBT COLLECTION PRACTICES ACT

17. Plaintiff re-alleges and incorporate by reference all of the above paragraphs.
18. In its attempts to collect the alleged debt from Plaintiff, Defendant has committed violations of the FDCPA, 15 USC 1692 *et. seq.*, including, but not limited to, the following:
 - a. Overshadowing Plaintiff's dispute rights. 15 U.S.C. § 1692g.
 - b. Engaging in conduct the natural consequence of which was to harass, oppress or abuse Plaintiff. 15 U.S.C. § 1692d.
 - c. Failing to disclose Defendant's identity and status as a bill collector in collection communication. 15 U.S.C. § 1692d-e.
 - d. Failing to disclose that the purpose of collection communication was to collect a debt. 15 U.S.C. § 1692e.
 - e. Utilizing misrepresentations in an effort to collect the debt. 15 U.S.C. § 1692d-f.

WHEREFORE, Plaintiff respectfully requests that judgment be entered against Defendant for:

- A. Judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages in an amount less than \$25,000 to be determined at trial;
- C. Statutory damages, costs and reasonable attorney's fees pursuant to 15 USC 1692(k); and
- D. For such other relief as the Court may deem just and proper.

THE EASON LAW FIRM, LLC

/s/ James W. Eason

JAMES W. EASON, #57112
1 North Taylor Avenue

St. Louis, Missouri 63108
Phone: (314) 932-1066
Fax: (314) 667-3161